



W.P.No.7685 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 14.03.2023

CORAM:

THE HONOURABLE MR. JUSTICE M.S. RAMESH

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Anthoniraj

...Petitioner

Vs

- 1.The District Collector,
Kallakuruchi District.
- 2.The District Revenue Officer,
Kallakuruchi District.
- 3.The Revenue Divisional Officer,
Kallakurichi Taluk & District.
- 4.The Tahsildar,
Sankarapuram Taluk,
Villupuram District.
- 5.Savarimuthu
- 6.Mariyasoosai

...Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India to issue a Writ of Mandamus, directing the respondents to consider the representation of the petitioner dated 28.12.2022 and thereby to make



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corrections in the FMB and to measure the property of the petitioner's deceased father Mr.Michel and to fix boundary lines in accordance with law.

For Petitioner : Mr.G.Ilamurugu

For R1 to R4 : Mr.V.Veluchamy,
Additional Government Pleader

ORDER

Heard Mr.G.Ilamurugu, learned counsel for the petitioner and Mr.V.Veluchamy, learned Additional Government Pleader for the respondents 1 to 4.

2. Since this Court is directing the first respondent to consider the petitioner's representation, after giving due opportunity to the fifth and sixth respondents, notice to the fifth and sixth respondents is hereby dispensed with.

3. The petitioner herein had given a representation to the fourth respondent on 28.12.2022 to make corrections in the FMB and to measure the property of his late father. Since the said representation was not considered, the present Writ Petition has been filed.



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4. It is needless to point out that whenever a representation of this nature is made to a Statutory Authority, there is a duty cast upon the respondents to consider the same on its own merits and pass appropriate orders in one way or other, instead of keeping the same pending indefinitely. As such, non-consideration of the representation by the Statutory Authority would amount to dereliction of duty and hence, this Court will be justified in invoking its extraordinary powers under Article 226 of Constitution of India and direct them to consider the same within a stipulated time.

5. In the light of the above observations, there shall be a direction to the first respondent herein to consider the petitioner's representation dated 28.12.2022, after giving due opportunity to the fifth and sixth respondents herein, as well as any other persons who may be interested in the subject property, within a period of four weeks from the date of receipt of a copy of this order. It is made clear that this Court has not expressed any of its views with regard to the merits of the claim of the petitioner and that it is open to the concerned respondent to consider the same on its own merits.



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M.S.RAMESH,J.

hvk

6. With the above direction, the Writ Petition stands ordered. No costs.

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Index:Yes/No

Speaking order/Non-speaking order

hvk

To

1.The District Collector,
Kallakuruchi District.

2.The District Revenue Officer,
Kallakuruchi District.

3.The Revenue Divisional Officer,
Kallakurichi Taluk & District.

4.The Tahsildar,
Sankarapuram Taluk,
Villupuram District.

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